

**BEFORE THE ARIZONA BOARD OF
OSTEOPATHIC EXAMINERS IN MEDICINE AND SURGERY**

IN THE MATTER OF:)	
)	
DEBORAH HUDAK, D.O.)	STIPULATION AND CONSENT
Holder of License No. 3363 for the)	ORDER FOR ISSUANCE OF
practice of osteopathic medicine in the)	LICENSE
State of Arizona.)	
_____)	

STIPULATION

By mutual agreement and understanding, the Arizona Board of Osteopathic Examiners (hereafter "Board") and Deborah Hudak, D.O. (hereinafter "Respondent"), the parties hereto agree to the following disposition to this matter.

1. Respondent acknowledges that he has read this Stipulation and the attached Consent Order; and, Respondent is aware of and understands the content of these documents.
2. Respondent understands that by entering into this Stipulation, she voluntarily relinquishes any rights to a hearing or to seek judicial review of the Consent Order in state or federal court on the matters alleged in the Stipulated Findings of Fact or to challenge this Stipulation and the Order issued.
3. Respondent understands that this Stipulation and Consent Order will not become effective unless approved by the Board and signed by its Executive Director.
4. Respondent further understands that this Stipulation and Consent Order, once approved and signed, shall constitute a public record that will be disseminated as a formal action of the Board.

5. Respondent admits to the statement of facts and conclusions of law contained in the Stipulated Consent Order.

6. All admissions made by Respondent are solely for final disposition of this matter and any subsequent administrative proceedings or litigation involving the Board, Respondent and the State of Arizona; and, therefore, said admissions by Respondent are not intended for any other purpose or administrative regulatory proceeding or litigation in another state or federal court.

7. Respondent acknowledges and agrees that upon signing and returning this document (or a copy thereof) to the Board's Executive Director, she may not later revoke or amend this Stipulation or any part of the Consent Order, without first obtaining Board approval.

8. Respondent is aware that any violation of said Order constitutes unprofessional conduct pursuant to A.R.S. § 32-1854(26) and may result in disciplinary action pursuant to A.R.S. § 32-1855.

REVIEWED AND ACCEPTED this 31 day of October, 1998.

Deborah J. Hudak D.O.
Deborah Hudak, D.O.

STATE OF ARIZONA)
) ss
County of Maricopa)

This instrument was acknowledged before me this ____ day of October, 1998 by the above-named individual.

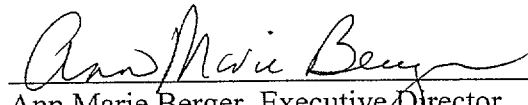
Notary Public

My Commission expires:

*done at
10/3/98
Brd Mtg.*

REVIEWED AND APPROVED as to form by counsel for Respondent on this ____ day of
October, 1998.

REVIEWED AND SIGNED this 3 day of October, 1998 for the Board by:



Ann Marie Berger, Executive Director
Arizona Board of Osteopathic Examiners in Medicine
and Surgery

BEFORE THE ARIZONA BOARD OF
OSTEOPATHIC EXAMINERS IN MEDICINE AND SURGERY

IN THE MATTER OF:)	
)	
DEBORAH HUDAK, D.O.)	CONSENT ORDER FOR PROBATION
Holder of License No. 3363 for the)	OF LICENSE
practice of osteopathic medicine)	
in the State of Arizona.)	
_____)	

FINDINGS OF FACT

1. The Board of Osteopathic Examiners of the State of Arizona ("Board") is the duly constituted authority for the regulation and control of the practice of osteopathic medicine in the State of Arizona.

2. Deborah Hudak, D.O., (hereafter "Respondent"), is the applicant for license to practice osteopathic medicine in the State of Arizona.

3. The Board has reviewed Respondent's application for license and conducted an interview with Respondent during a public Board Meeting concerning the Respondent's medical history.

4. On August 22, 1998, during its public meeting, with Respondent present, the Board authorized preparation of a stipulated consent order granting Respondent an unrestricted license to practice as an osteopathic physician in the State of Arizona; but, said license shall be placed on probation and subject to specific restrictions that are set forth more specifically hereafter.

CONCLUSIONS OF LAW

1. Pursuant to Arizona Revised Statutes § 32-1800, et seq., the Arizona Board of Osteopathic Examiners in Medicine and Surgery possesses jurisdiction over the subject matter hereof and over the application for license submitted by Deborah Hudak, D.O.
2. The Board has the authority to enter a final order and to enter into an agreement for the stipulated disposition of this matter pursuant to A.R.S. § 32-1822(D).
3. Based upon the Findings of Fact set forth above herein, the Board concludes that it has the requisite factual basis and legal authority to order probation of Respondent's license.

ORDER

Pursuant to the authority vested in the Board, **IT IS HEREBY ORDERED THAT:**

1. Respondent be granted License Number 3363 for the practice of osteopathic medicine and surgery subject to the following terms, conditions and restrictions:
2. Respondent's Board License Number 3363 for the practice of osteopathic medicine and surgery in the State of Arizona is hereby placed under probation for one (1) years and shall comply with the terms and conditions of probation as set forth herein:
3. From the date of this Order, Respondent shall obtain a consultation with an addiction specialist as approved by the Board. Respondent shall comply with the addictionologist regarding subsequent therapy treatment sessions or other requirements. Should further treatment be recommended by the addictionologist, Respondent shall inform the Board by letter (mailed within ten days of the date of this Order) of the therapist's name; and, Respondent shall undertake and fully cooperate with a program of treatment established by the therapist. In the event Respondent changes therapists, she shall give the Board written notice within ten (10) days of said action. Respondent

shall not discontinue or reduce the frequency of psychotherapy sessions until she has submitted a written request to the Board and obtained Board approval.

4. Respondent's therapist(s) shall receive a copy of this Order and Board Staff shall cooperate with and disclose all relevant information in the Board's files concerning Respondent. The treating therapist shall be directed by Respondent to send to the Board a detailed written progress report every month for the remainder of the probation; and Respondent, shall waive any confidentiality concerning her psychotherapy in order that the Board may receive full disclosure of information. The expense of the aforementioned therapy and the reports to the Board by Respondent's therapist shall be the sole responsibility of the Respondent.

5. Respondent shall provide a copy of this Order and any subsequent Orders to all facilities where Respondent is currently (or subsequently) employed as a physician and/or has (or subsequently receives) privileges to engage in the practice of medicine; and, Respondent shall continue to make the aforementioned disclosure and provide copies of this Consent Order until the expiration of this Order.

6. Respondent may have her license to practice as an osteopathic physician restricted, suspended or revoked by the Board in the future if:

- (A) The Board finds that Respondent does not have the requisite mental, physical and emotional fitness to safely continue the practice of medicine; or,
- (B) There are new grounds for finding unprofessional conduct concerning Respondent; or,
- (C) Fails to comply fully with the terms and conditions of this Order.

7. Respondent shall abstain completely from the consumption of alcoholic beverages;

and, Respondent shall not consume illicit drugs or take any medication, unless such medication is prescribed for him by his primary treating physician. Medications prescribed for an emergency situation shall be reported to his primary treating physician by the following workday. Respondent shall maintain a monthly log (for the duration of the probation) and provide a copy of the log to the Board at the first of each month listing all medications taken by her and such log shall include the following information:

- (a) the name of the medication;
- (b) name of prescribing physician;
- (c) reason for the medication.

At the first of each month, Respondent shall report by letter to the Board whether or not she is taking any prescription only medication and, if so, a copy of her log reflecting the above information.

8. Respondent shall also, as part of her probation: (A) submit to and cooperate in any independent medical or psychological evaluation that is ordered by the Board for Respondent and conducted by the Board's designated physician and/or psychologist which shall be paid for by Respondent; and (B) appear before the Board, upon receipt of a request by written or telephonic notification from the Board's executive director which shall be given at least five (5) days prior to the Board meeting; and, (C) submit to random biological fluid testing and promptly provide (i.e., within sixty (60) minutes of notification) required biological fluids for testing and said testing shall be done at the Respondent's expense.

9. In the event Respondent moves and ceases to practice medicine in Arizona, she shall give written notice to the Board of her new residence address within twenty (20) days of moving;

and, the terms and duration of probation may be stayed by the Board until Respondent returns to practice medicine in Arizona.

10. Respondent shall reimburse the Board for all expenses associated with the investigation, hearing and continued monitoring of this matter.

11. Respondent shall continue to meet all licensing requirements such as continuing medical education and renewal requirements including applicable fees pursuant to A.R.S. § 32-1825.

12. Respondent's failure to comply with the requirements of this Order shall constitute unprofessional conduct as defined at A.R.S. § 32-1854(26), as amended, and may be considered as grounds for further disciplinary action (e.g., suspension or revocation of license) in the event that Respondent fails to comply with any of the requirements of this Order.

ISSUED this 3 day of October, 1998.

ARIZONA BOARD OF OSTEOPATHIC EXAMINERS
IN MEDICINE AND SURGERY

By: Ann Marie Berger
Ann Marie Berger, Executive Director

Served by personal service or
sending U.S. certified mail
this 3rd day of October, 1998 to:

Deborah Hudak, D.O.
P.O. Box 24557
Tempe AZX 85285

Copy mailed this 6th day of October, 1998 to:

Blair Driggs
Assistant Attorney General
Office of the Attorney General
1275 W. Washington
Phoenix AZ 85007 (w/enclosure)

Arizona Board of Pharmacy
5060 N. 19th Ave., Suite 101
Phoenix AZ 85015

Drug Enforcement Administration
Attention: Diversion Section
3010 N. 2nd St
Phoenix AZ 85012

Anita Boyd